

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:10CR163-FDW

UNITED STATES OF AMERICA,)	ORDER OF FORFEITURE
)	(MONEY JUDGMENT)
v.)	AND PRELIMINARY
)	ORDER OF FORFEITURE
MAIDA PONCE)	(SUBSTITUTE PROERTY)

In the Bill of Indictment in this case, the United States sought forfeiture of property pursuant to 18 U.S.C. § 981(a)(1)(C), 21 U.S.C. § 853, and 28 U.S.C. § 2461(c), as proceeds of the crime charged, together with any other substitute property, which would be subject to forfeiture under § 853(p).

Defendant entered into a plea agreement; subsequently pled guilty to Count One in the Bill of Indictment; and was adjudged guilty of the offense charged in that count. In the plea agreement, defendant has agreed to forfeit property identified in the indictment, including criminal proceeds. In addition, the specific sum of \$383,349.60 was transferred by wire to an account controlled by the defendants and is proceeds of the crime of which this defendant has now been convicted.

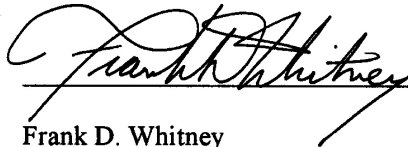
As to specific property, the Court finds in accordance with 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), that, as a result of acts of the defendant, criminal proceeds in the amount of \$383,349.60 cannot be located upon the exercise of due diligence, have been transferred to one or more third parties, and/or have been placed beyond the jurisdiction of the Court. The real property described below is other property of the defendant and is preliminarily forfeited to the United States as substitute property for the sum of \$383,349.60 in criminal proceeds, subject to adjudication of any third party interests. To the extent of any final forfeiture

of an amount received by the government from this real property, the defendant shall receive a credit for that amount against the \$383,349.60 forfeiture money judgment.

It is therefore ORDERED that the following property is forfeited to the United States: **the sum of \$383,349.60 in criminal proceeds**, in the form of a money judgment against the defendant for this amount.

It is further ORDERED that the following specific property is forfeited to the United States: **real property located at 4059 Shadowind Way (aka Shadowing Way), Gotha, Florida, titled in the names of Eberto Ponce and Maida Ponce, as more particularly described in deeds recorded at Book 7529, Page 2352, and Book 9842, Page 1202, in the Office of the Comptroller, Orange County, Florida.**

Signed: February 1, 2012


Frank D. Whitney
United States District Judge

